

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

IN RE YASMIN AND YAZ	)	3:09-md-02100-DRH-PMF
(DROSPIRENONE) MARKETING, SALES	)	
PRACTICES AND PRODUCTS LIABILITY	)	MDL No. 2100
LITIGATION	)	

**This Document Relates to:**

**ALL CASES**

**MINUTES OF STATUS CONFERENCE**

**PRESIDING: Chief Judge David R. Herndon**

**DATE: June 22, 2012**

**PLACE: East St. Louis, Illinois**

**COURT REPORTER: Laura Blatz**

**COURTROOM DEPUTY: Sandy Pannier**

**APPEARING FOR PLAINTIFFS: Roger Denton, Michael Burg, Mark Niemeyer,  
Seth Katz,**

**APPEARING FOR DEFENDANTS: John Galvin, Adam Hoefflich, Doug Marvin,  
Terry Lueckenhoff**

**ALSO APPEARING: Professor Steven Saltzburg**

**TIME: 10:10 AM - 10:25 AM**

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The Court notes that there have been a substantial number of settlements and the Court acknowledges the leadership in this endeavor of Chris Seeger and Mark Robinson. Mr. Robinson and Mr. Seeger were the first two lawyers to take steps to engage in meaningful settlement negotiations and eventually settle cases with Bayer. Judge Herndon notes that it is very important for leaders in this MDL to step forward and provide the kind of leadership that is necessary to break the ice and get things moving. Mr. Robinson and Mr. Seeger provided this kind of leadership and are to be commended.

Michael Burg and Adam Hoefflich address the Court. Mr. Burg advises the number of cases that have settled is 1,444 involving at least 33 firms. There has been good faith negotiations on both sides and they expect this to continue. Counsel feels that the Court's Order has been very effective to bring a good portion of these cases to resolution. The Court recognizes Mr. Burg and Mr. Katz for their leadership with respect to negotiating a master settlement agreement. The Court notes that plaintiffs are at risk today with respect to private and governmental liens. Some attorneys ignore the risk, others face it head on. The settlement agreement that the BurgSimpson law firm has negotiated with Bayer faces the issue of liens head on.

Mr. Burg reports that in most states, plaintiffs have an obligation with regard to private and governmental lien holders. The settlement agreement BurgSimpson and Seth Katz have negotiated with Bayer resolves the client's lien obligations while allowing the client to retain anywhere between 80% and 85% of the money that is due them. The settlement agreement also addresses those states where there is no obligation with respect to liens.

The Court notes that counsel has developed valuable expertise during the settlement process and has clearly established an effective process for valuing the cases. Adam Hoefflich agrees and notes that Steven Saltzberg has been a great resource during this process. Judge Herndon also notes that there are not going to be any bellwether cases in the VTE cases because settlement negotiations are progressing